



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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August 3, 2004

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Agenda No. 12  
03/23/04

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

**Re: CONDITIONAL USE PERMIT NUMBER 02-182-(5)  
FIFTH SUPERVISORIAL DISTRICT / THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced permit which proposes a residential development consisting of 18 new attached condominiums on one lot approximately .85 acre in size in the East San Gabriel Zoned District. At the conclusion of the hearing, you indicated an intent to approve the permit and instructed us to prepare the appropriate findings and conditions for approval. Enclosed are proposed findings and conditions for your consideration.

Very truly yours,

OFFICE OF THE COUNTY COUNSEL

By

  
PETER J. GUTIERREZ  
Senior Deputy County Counsel  
Public Works Division

APPROVED AND RELEASED:

  
RAYMOND G. FORTNER, JR.  
Chief Deputy County Counsel

PJG:di  
Enclosures

HOA.245329.1

**FINDINGS OF THE BOARD OF SUPERVISORS  
AND ORDER CONDITIONAL USE PERMIT NUMBER 02-182-(5)**

1. The Board of Supervisors of the County of Los Angeles ("Board") conducted a duly noticed public hearing on this proposed Conditional Use Permit Case No. 02-182-(5) on March 23, 2004. The Regional Planning Commission of the County of Los Angeles ("Commission") previously conducted its duly noticed public hearing on this proposal on July 9, 2003. This case was heard concurrently with Zone Change Case No. 02-182-(5) and Vesting Tentative Tract Map No. 53942.
2. The applicant is proposing to construct a residential development on the subject property consisting of 18 new attached condominiums on one lot.
3. A conditional use permit is required to ensure compliance with the requirements of the proposed Development Program zone pursuant to Sections 22.20.260 and 22.40.040 of the Los Angeles County Code ("County Code").
4. The subject property is located at 5235 – 5237 Rosemead Boulevard in the East San Gabriel Zoned District and within the East Pasadena – San Gabriel Community Standards District.
5. The rectangular-shaped property is approximately .85 net acres (1.16 gross acres) in size with level topography. The site is currently vacant.
6. The project site is currently zoned A-1-5,000 (Light Agricultural – 5,000 square foot minimum lot area). Concurrent with this approval, however, the Board considered and indicated its intent to approve Zone Change Case No. 02-182-(5). Upon final adoption of the Zone Change, and after its effective date, the subject property will be zoned R-3-DP (Limited Multiple Residence-Development Program Zone). The Development Program designation will ensure that development occurring after the property has been rezoned will conform to plans submitted by the applicant through the conditional use permit approval process.
7. Surrounding zoning is A-1-5,000 to the north and west, and R-3-5,000 (Limited Multiple Residence – 5,000 square foot minimum lot area) to the south. The area to the east is located within the City of Temple City.
8. The existing land uses to the west of the project site are single-family residences. Multi-family residences are located to the north and south and various commercial uses such as a hotel, an animal hospital, and offices, as well as a church, are located to the east along Rosemead Boulevard.

9. The proposed project is consistent with the requested R-3-DP zoning classification. Pursuant to Section 22.40.040 of the County Code, property in a DP zone may be used for any use permitted in the basic zone, subject to the conditions and limitations of a conditional use permit and approved development program. Multi-family residential uses are permitted in the R-3 zone by Section 22.20.260 of the County Code.
10. The property is depicted within the Medium Density Residential (Urban 3) land use classification on the Land Use Policy Map of the Los Angeles County General Plan ("General Plan"). This land use category allows 12 – 22 dwelling units per acre, which would permit a maximum of 25 dwelling units on the 1.16-gross acre property. The proposal to create 18 condominiums, approximately 15.5 dwelling units/acre, is consistent with the density permitted under the Medium Density Residential category. The project will increase the supply and diversity of housing and promote the efficient use of land through a more concentrated pattern of urban development. The proposed project is consistent with the goals and policies of the General Plan.
11. Approval of Conditional Use Permit Case No. 02-182-(5) will not become effective unless and until the Board has adopted an ordinance effecting the proposed change of zone to R-3-DP and such ordinance has become effective.
12. Vesting Tentative Tract Map No. 53942 is a related request to create one multi-family lot for development of the 18 new attached condominiums on the subject property.
13. The applicant's site plan, dated January 15, 2003 ("Exhibit A"), depicts 18 attached condominiums occupying approximately 21,483 square feet (58 percent) of the project site. The proposed condominiums are two-stories each and 31.6 feet high. They are 1,750 square feet each with three bedrooms and a study. Each condominium will have its own two-car garage. There is a gated entry from Rosemead Boulevard, and the existing six-foot wire fences on the north, south, and west sides of the property boundary will be replaced with a new six-foot concrete block wall. The condominiums will be accessed by a 29-foot wide common driveway with no parking permitted. Guest parking spaces are provided throughout the project.
14. At its public hearing, the Commission received oral testimony from the applicant regarding the proposed development. No other testimony was presented, and no written correspondence was received.
15. After considering the evidence presented, the Commission approved Conditional Use Permit Case No. 02-182-(5).

16. No testimony was presented at the public hearing held before the Board. After considering the evidence presented, the Board indicated its intent to approve Conditional Use Permit Case No. 02-182-(5) subject to the referenced zone change of the subject property to R-3-DP.
17. Access to the proposed development shall be provided from Rosemead Boulevard, via a service road.
18. The proposed use is subject to all applicable development standards and requirements of the R-3 zone, as set forth in Sections 22.20.310 and 22.20.330 of the County Code, as well as the requirements of the DP zone, pursuant to Sections 22.40.030 through 22.40.080 of the County Code. The zone-specific development standards of the East Pasadena – San Gabriel Community Standards District set forth in Section 22.44.135 of the County Code also apply to this project and supercede the height limit and yard requirements of the R-3 zone.
19. In compliance with Section 22.20.310 of the County Code, the proposed project does not exceed 30 units per net acre.
20. Section 22.20.330 of the County Code requires parking to be provided as required by Part 11 of Chapter 22.52 of the County Code. Section 22.52.1180 of Part 11 requires parking to be provided for residential uses as follows: two covered standard automobile parking spaces for each single-family residence, one guest parking space for every four dwelling units for a total of 36 resident parking spaces, and five guest parking spaces distributed throughout the project site. Exhibit A submitted by the permittee depicts compliance with the parking requirements.
21. The proposed project, with the attached conditions of approval, will comply with all applicable requirements of Section 22.44.135 of the County Code as set forth below:
  - a. No structures shall exceed a height of 35 feet except for chimneys and rooftop antennas. The proposed structure on the north side of the site, which is adjacent to a single-family residential zone, shall have a maximum height of ten feet at five feet from the side property line, and any portion greater than ten feet shall be set back at a 1:1 ratio;
  - b. The minimum front yard setback shall be the average depth of the front yards of all developed properties on the same side of the street on the same block. The rear yard setback shall be a minimum of 15 feet. The side yard setback shall be a minimum of five feet;
  - c. The floor area maximum shall be 100 percent of net area (.85 acres) and the lot coverage maximum shall be 75 percent of net lot area. Floor area

shall include all enclosed buildings except cellars or garages, and lot coverage shall include all enclosed buildings;

- d. A minimum of 20 percent of the required front yard shall contain softscape landscaping;
  - e. The maximum grade shall be the average grade of adjoining lots or parcels of land, unless modified by the Planning Director or the Director of the Department of Public Works where it is impractical due to topographic conditions; and
  - f. Street lighting shall be consistent with the neighborhood pattern except where the Department of Public Works determines that a different street lighting configuration is required for the protection of public health and safety.
- 22. The applicant has submitted a development program consisting of a site plan and progress schedule which complies with the requirements of Section 22.40.050 of the County Code.
  - 23. As a condition of approval of this grant, the applicant will be required to comply with all applicable development program conditions as set forth in Section 22.40.070 of the County Code.
  - 24. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
  - 25. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study demonstrated that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment. Based on the Initial Study, the Department of Regional Planning has prepared a Negative Declaration for this project. The Negative Declaration and Initial Study were circulated for public review in compliance with state law.
  - 26. The Board finds that the project is *de minimus* in its effect on fish and wildlife resources. Therefore, the project is exempt from California Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.
  - 27. The Board has reviewed and considered the information contained in the Negative Declaration together with any comments received during the public review process and finds on the basis of the whole record before it that there is

no substantial evidence that the project will have a significant effect on the environment and further finds that the Negative Declaration reflects the independent judgment and analysis of the Board.

28. Approval of this conditional use permit is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53942.
29. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Los Angeles County Department of Regional Planning.

**BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:**

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted General Plan;
- B. With the attached conditions and restrictions, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required;
- E. That the development program submitted provides necessary safeguards to insure completion of the proposed development by the permittee, forestalling substitution of a lesser type of development contrary to the public convenience, welfare, or development needs of the area; and
- F. That the project at the location proposed has been designed to be compatible with the surrounding area in terms of land use patterns, design, and established community character.

**THEREFORE, THE BOARD OF SUPERVISORS:**

1. Adopts the Negative Declaration and certifies that is has been completed in compliance with CEQA and the State and County Guidelines related thereto; and
- 2 Approves Conditional Use Permit Case No. 02-182-(5), subject to the attached conditions.

**CONDITIONS FOR APPROVAL  
CONDITIONAL USE PERMIT CASE NUMBER 02-182-(5)**

1. This grant authorizes the use of the subject property for 18 new attached condominium units, as depicted on the approved exhibit map dated January 15, 2003 ("Exhibit A"), subject to all of the following conditions of approval.
2. This grant shall not be effective for any purpose until the permittee and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 6, and until all required monies have been paid pursuant to Condition Nos. 7 and 8. Further, this grant shall not become effective unless and until the Board of Supervisors has approved Zone Change Case No. 02-182-(5) and an ordinance reflecting such change of zone has become effective.
3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
4. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if they find that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety, or so as to be a nuisance.
6. The terms and conditions of this grant shall be recorded in the office of the County Recorder concurrently with the recordation of the final map for Vesting Tentative Tract Map No. 53942. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. Within five days of the approval date of this grant, the permittee shall remit a \$25 processing fee payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the Public Resources Code.



8. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant, and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$1,500. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for ten biennial inspections. The inspections shall be unannounced.
9. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The charge for additional inspections shall be the amount equal to the recovery cost at the time of payment. The current recovery cost is \$150 per inspection.
10. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense.
11. In the event that any claim, action, or proceeding, as described above, is filed against the County, the permittee shall, within ten days of the filing, pay the Department of Regional Planning an initial deposit of \$5,000 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to: depositions, testimony, and other assistance to the permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code ("County Code").

12. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53942. In the event that Vesting Tentative Tract Map No. 53942 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
13. The subject property shall be graded, developed, and maintained in substantial conformance with the approved tentative map (dated September 17, 2002) and Exhibit A. In the event that subsequent revised plans are submitted, the permittee shall submit three copies of the proposed plans to the Director of the Department of Regional Planning ("Director") for review and approval. All revised plans shall require the written authorization of the property owner.
14. All development shall comply with the requirements of the Zoning Ordinance and of the specific zoning of the subject property, except as specifically modified by this grant, as set forth in these conditions or shown on Exhibit A.
15. The development of the subject property shall conform to the conditions approved for Vesting Tentative Tract Map No. 53942.
16. No grading permit shall be issued prior to the recordation of a final map except as authorized by the Director. The maximum grade shall be the average grade of adjoining lots or parcels of land, unless modified by the Director or the Director of the Department of Public Works where it is impractical due to topographic conditions.
17. The minimum front yard setback shall be the average depth of the front yards of all the developed properties on the same side of the street on the same block. The rear yard setback shall be a minimum of 15 feet. The side yard setback shall be a minimum of five feet.
18. No structures shall exceed a height of 35 feet above grade except for chimneys and rooftop antennas. All structures on the north side of the property, which are adjacent to a single-family residential zone, shall have a maximum height of ten feet at five feet from the side property line, and any portion greater than ten feet shall be set back at a 1:1 ratio as required by Section 22.44.135 of the County Code.

19. A minimum of 36 standard automobile parking spaces, as depicted on Exhibit A, shall be provided and continuously maintained on the subject property. These spaces shall be developed to the specifications listed in Section 22.52.1060 of the County Code, and shall include spaces for use by disabled persons as required. There shall be at least five guest parking spaces distributed throughout the project site as depicted on Exhibit A. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, vehicle repair, or any other unauthorized use.
20. The floor area maximum shall be 100 percent of the net lot area (.85 acres) and the lot coverage maximum shall be 75 percent of the net lot area. Floor area shall include all enclosed buildings except cellars or garages, and lot coverage shall include all enclosed buildings.
21. Street lighting shall be consistent with the neighborhood pattern except where the Department of Public Works ("Public Works") determines that a different street lighting configuration is required for the protection of public health and safety.
22. The permittee shall submit a copy of the project Conditions, Covenants, and Restrictions to the Director for review and approval prior to the recordation of the final map for Vesting Tentative Tract Map No. 53942.
23. The permittee shall provide in the Conditions, Covenants, and Restrictions reference to or inclusion of a reserve formula to ensure full disclosure to prospective purchasers of the condominiums of reserve fund requirements for the long-term maintenance, repair, replacement, or improvement of homeowners association property and common property, to the satisfaction of the Department of Regional Planning.
24. All utilities shall be placed underground.
25. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.
26. Detonation of explosives or any other blasting devices or material shall be prohibited unless all required permits have been obtained.
27. All grading, construction, and appurtenant activities on the subject property including engine warm-up, shall be restricted to Monday through Friday, between 7:00 a.m. and 6:00 p.m., and Saturday, between 8:00 a.m. and 5:00 p.m. No Sunday or holiday operations are permitted.
28. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and the Director of Public Works.

29. The permittee shall, upon commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.
30. No construction equipment or vehicles shall be parked or stored on any existing public or private streets.
31. The permittee shall obtain all necessary permits from Public Works and shall maintain all such permits in full force and effect as required.
32. All construction and development within the subject property shall comply with the applicable provisions of the Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County of Los Angeles.
33. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use of the premises, or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
34. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
35. The permittee shall utilize water-saving devices and technology in the construction of this project consistent with Los Angeles County Building and Plumbing Codes.
36. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
37. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to, water mains, fire hydrants, and fire flow facilities shall be provided to the satisfaction of and within the time periods established by said department.

38. Pursuant to Chapter 22.72 of the County Code, the permittee or his successor in interest shall pay a fee to the Los Angeles County Librarian prior to the issuance of any building permit in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department of Regional Planning. The current fee amount is \$648 per dwelling unit (\$648 x 18 dwelling units = \$11,664). The permittee may contact the County Librarian at (562) 940-8430 regarding payment of fees.
39. Prior to the issuance of building permits, the permittee shall pay all required school mitigation fees.
40. Prior to the issuance of any grading or building permit, a site plan shall be submitted to and approved by the Director indicating that the proposed construction and associated grading complies with the conditions of this grant and the standards of the zone.
41. As stated in the Negative Declaration prepared by the Department of Regional Planning, Impact Analysis section, the applicant shall:
  - a. Comply with the NPDES requirements of the California Regional Water Quality Control Board and the Los Angeles County Department of Public Works;
  - b. Obtain an encroachment permit from Caltrans for any work on Rosemead Boulevard; and
  - c. Limit large size truck trips to off-peak commute periods. Any transportation of heavy construction equipment and/or materials which requires the use of oversized transport vehicles on Rosemead Boulevard will require a Caltrans transportation permit.
42. Prior to the issuance of any building permit, the permittee shall submit to the Director for review and approval three copies of a revised landscape plan which may be incorporated into a revised Exhibit A. The landscape plan shall show size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary. Drip irrigation systems shall be employed for all plantings except for ground covers and grass areas.

In addition to the review and approval by the Director, the landscaping plans will be reviewed by the staff biologist of the Department of Regional Planning and by the Los Angeles County Fire Department. Their review will include an evaluation of the balance of structural diversity (e.g., trees, shrubs, and groundcover) that could be expected 18 months after planting in compliance with fire safety requirements. The landscaping plan shall be maintained in compliance with the approved landscaping plans.

Permitted Plantings. Trees, shrubs, and/or ground cover indigenous to the local region shall be used for the required 50 percent landscaping. Fire retardant and locally indigenous plants that may also be used for the required 50 percent landscaping can be found on a list compiled by the Los Angeles County Fire Department which can be obtained from them. This list may be amended as approved by staff.

The landscaping plan must show that at least 50 percent of the area covered by landscaping will be locally indigenous species including not only trees, but shrubs and ground cover as well. However, if the applicant can prove to the satisfaction of staff that a 50 percent or more locally indigenous species is not possible due to County fire safety requirements, then staff may determine that a lower percentage of such planting will be accepted. In those areas where staff approves a reduction to less than 50 percent locally indigenous vegetation, the amount of such planting required shall be at least 30 percent. The landscaping shall include trees, shrubs, and/or ground cover at a mixture and density determined by staff and the Fire Department. Fire retardant plants shall be given first consideration. At least 20 percent of the required front yard shall contain softscape landscaping as required by the East Pasadena – San Gabriel Community Standards District (County Code Section 22.44.135).

Timing of Planting. Prior to the issuance of building permits for any construction, the applicant shall submit a landscaping and phasing plan for the landscaping associated with that construction to be approved by the Director of Planning. This phasing plan shall establish the timing and sequencing of the required landscaping including required plantings within six months and expected growth during the subsequent 18 months.

The planting shall begin at the time of occupancy of each building. The required planting of new trees, shrubs, and/or ground cover shall be completed within eight months following occupancy.

The approved phasing plan shall set forth goals for the growth of the new plants in order to achieve established landscaping within 18 months following completion of the required planting. The applicant shall supply information for staff review of the completed landscaping at such time to confirm completion in accordance with the approved landscaping plan. In the event that some plants have not flourished at the time of review, staff may require replacement planting as necessary to assure completion in accordance with such plan.

43. The following development program conditions shall apply:
  - a. No building or structure of any kind except a temporary structure used only in the development of the property according to the development program shall be built, erected, or moved onto any part of the property;

- b. No existing building or structure which under the program is to be demolished shall be used;
- c. No existing building or structure which under the program is to be altered shall be used until such building or structure has been so altered;
- d. All improvements shall be completed prior to the occupancy of any structures within each phase of development to the satisfaction of the Director of Planning; and
- e. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.







COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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August 3, 2004

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Agenda No. 12  
03/23/04

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

**Re: VESTING TENTATIVE TRACT MAP NUMBER 53942  
FIFTH SUPERVISORIAL DISTRICT / THREE VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced subdivision which proposes a residential development consisting of 18 new attached condominiums on one lot approximately .85 acres in size in the East San Gabriel Zoned District. At the conclusion of the hearing, your Board indicated its intent to approve the subdivision and instructed us to prepare findings and conditions for approval. Enclosed are proposed findings and conditions for your consideration.

Very truly yours,

OFFICE OF THE COUNTY COUNSEL

By

  
PETER J. GUTIERREZ  
Senior Deputy County Counsel  
Public Works Division

APPROVED AND RELEASED:

  
RAYMOND G. FORTNER, JR.  
Chief Deputy County Counsel

PJG:di  
Enclosures

**FINDINGS OF THE BOARD OF SUPERVISORS  
AND ORDER  
VESTING TENTATIVE TRACT MAP NO. 53942**

1. The Board of Supervisors of the County of Los Angeles ("Board") conducted a duly noticed public hearing on this proposed Vesting Tentative Tract Map No. 53942 on March 23, 2004. The Regional Planning Commission of the County of Los Angeles ("Commission") previously conducted its duly noticed public hearing on this proposal on July 9, 2003. This case was heard concurrently with Conditional Use Permit Case No. 02-182-(5) and Zone Change Case No. 02-182-(5).
2. The applicant is proposing to construct a residential development on the subject property.
3. Vesting Tentative Tract Map No. 53942 is a proposal to create one multi-family lot for development of 18 new attached condominiums on the subject property.
4. The subject site is located at 5235 – 5237 Rosemead Boulevard in the East San Gabriel Zoned District and within the East Pasadena – San Gabriel Community Standards District.
5. The rectangular shaped property is approximately .85 net acres (1.16 gross acres) in size with level topography. The tentative map depicts residential structures to be removed. These structures have been removed, and the site is currently vacant.
6. The project site is currently zoned A-1-5,000 (Light Agricultural – 5,000 square foot minimum lot area). Concurrent with this approval, however, the Board considered and indicated its intent to approve Zone Change Case No. 02-182-(5). Upon final adoption of the Zone Change and after its effective date, the subject property will be zoned R-3-DP (Limited Multiple Residence-Development Program Zone). The Development Program designation will ensure that development occurring after the property has been rezoned will conform to plans submitted by the applicant through the conditional use permit approval process.
7. Surrounding zoning is A-1-5,000 to the north and west, and R-3-5,000 (Limited Multiple Residence – 5,000 square feet minimum lot area) to the south. The area to the east is located within the City of Temple City.
8. The existing land uses to the west of the project site are single-family residences. Multi-family residences are located to the north and south and various commercial uses such as a hotel, an animal hospital, and offices, as well as a church, are located to the east along Rosemead Boulevard.

9. The proposed project is consistent with the requested R-3-DP zoning classification. Pursuant to Section 22.40.040 of the Los Angeles County Code ("County Code"), property in a DP zone may be used for any use permitted in the basic zone, subject to the conditions and limitations of a conditional use permit and approved development program. Multi-family residential uses are permitted in the R-3 zone by Section 22.20.260 of the County Code.
10. The property is depicted within the Medium Density Residential (Urban 3) land use classification on the Land Use Policy Map of the Los Angeles County General Plan ("General Plan"). This land use category allows 12 – 22 dwelling units per acre, which would permit a maximum of 25 dwelling units on the 1.16-gross acre property. The proposal to create 18 condominiums, approximately 15.5 dwelling units/acre, is consistent with the density permitted in the Medium Density Residential land use classification. The project will increase the supply and diversity of housing and promote the efficient use of land through a more concentrated pattern of urban development. The proposed project and the provisions for its design and improvements are consistent with the goals and policies of the General Plan.
11. Approval of Vesting Tentative Tract Map No. 53942 will not become effective unless and until the Board has adopted an ordinance effecting the change of zone to R-3-DP and such ordinance has become effective.
12. Conditional Use Permit Case No. 02-182-(5) is a related request to ensure the project's compliance with the requirements of the proposed Development Program Zone.
13. At its public hearing, the Commission received oral testimony from the applicant regarding the proposed development. No other testimony was presented, and no written correspondence was received.
14. After considering the evidence presented, the Commission approved Vesting Tentative Tract Map No. 53942.
15. No testimony was presented at the public hearing before the Board. After considering the evidence presented, the Board indicated its intent to approve Vesting Tentative Tract Map No. 53942 subject to the referenced zone change of the subject property to R-3-DP.
16. Access to the proposed development will be provided from Rosemead Boulevard, via a service road.

17. The proposed development is compatible with surrounding land use patterns. Residential development surrounds the subject property to the north, south, and west.
18. The site is physically suitable for the type of development and density being proposed since the property is relatively level and has adequate building sites to be developed in accordance with the County grading ordinance, has access to a County-maintained street, will be served by public sewers, will be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs, and will have flood hazards and geological hazards mitigated in accordance with the requirements of the Department of Public Works.
19. The design of the subdivision and the type of improvements proposed will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, geological, and soil factors are addressed in the conditions of approval.
20. The design of the subdivision and the proposed improvements will not cause substantial environmental damage and/or substantial avoidable injury to fish, wildlife, or their habitat. The subject property is not located in a Significant Ecological Area and does not contain any stream courses or high value riparian habitat.
21. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities therein.
22. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map since the design and development, as set forth in the conditions of approval and shown on the tentative map, provide adequate protection for any such easements.
23. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake, or reservoir.
24. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Control Board pursuant to Division 7 (commencing with section 13000) of the California Water Code.
25. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan.

26. This tract map has been submitted as a "Vesting" Tentative Tract Map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
27. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study demonstrated that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment. Based on the Initial Study, the Department of Regional Planning prepared a Negative Declaration for this project. The Negative Declaration and Initial Study were circulated for public review in compliance with state law.
28. The Board finds that the project is *de minimus* in its effect on fish and wildlife resources. Therefore, the project is exempt from California Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.
29. The Board has reviewed and considered the information contained in the Negative Declaration together with any comments received during the public review process and finds on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment, and further finds that the Negative Declaration reflects the independent judgment and analysis of the Board.
30. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Los Angeles County Department of Regional Planning.

**THEREFORE, THE BOARD OF SUPERVISORS:**

1. Adopts the Negative Declaration and certifies that it has been completed in compliance with CEQA and the State and County guidelines related thereto; and
2. Approves Vesting Tentative Tract Map No. 53942 subject to the attached conditions and further subject to approval by the Board of Supervisors of Zone Change Case No. 02-182-(5).

**CONDITIONS OF APPROVAL  
VESTING TENTATIVE TRACT MAP NO. 53942**

1. Conform to the applicable requirements of Titles 21 and 22 of the Los Angeles County Code (Subdivision and Zoning Ordinances) including the requirements of the R-3-DP zone, the East Pasadena – San Gabriel Community Standards District, and all conditions of approval for Conditional Use Permit Case No. 02-182-(5).
2. Recordation of the final map is contingent upon the effectuation of an ordinance changing the zoning on the property from A-1-5,000 to R-3-DP as recommended under Zone Change Case No. 02-182-(5).
3. Show Rosemead Boulevard as a dedicated street on the final map.
4. Submit a copy of the Covenants, Conditions, and Restrictions for the project to the Department of Regional Planning for review and approval.
5. Construct or bond with the Department of Public Works for the construction of driveway paving in widths as shown on the approved exhibit map dated January 15, 2003 ("Exhibit A"), to the satisfaction of the Department of Regional Planning and the Fire Department.
6. Label all common driveways required to be designated as fire lanes by the Fire Department as "Private Driveway and Fire Lane" on the final map, or on a plat to be recorded by separate document concurrently with the recordation of the final tract map.
7. Post all driveways which are designated "Private Driveway and Fire Lane" with signs stating "No Parking-Fire Lane" and provide for continuous posting and enforcement of this restriction in the Covenants, Conditions, and Restrictions.
8. Provide for the ownership and continued maintenance of the private driveways through a homeowners association or road maintenance agreement.
9. Submit a letter to the Department of Regional Planning agreeing to provide an adequate lighting system along all walkways to be constructed within the common areas to the satisfaction of the Department of Regional Planning.
10. Provide in the Covenants, Conditions, and Restrictions a method for the continued maintenance of the common areas, including the driveways and the lighting systems along all walkways, to the satisfaction of the Department of Regional Planning.
11. Record the terms and conditions of Conditional Use Permit Case No. 02-182-(5) in the office of the County Recorder concurrently with the recordation of the final map.

12. This tract map is approved as a one-lot residential condominium project consisting of a total of 18 residential units, whereby the owners of the units of air space will hold an undivided interest in the common areas which will in turn provide the necessary access and utility easements for the units. Place a note or notes on the final map to this effect to the satisfaction of the Department of Regional Planning and the Department of Public Works.
13. Plant at least one tree of a non-invasive species within the front yard of the residential lot. The location and the species of said tree shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be submitted to the Director of the Department of Regional Planning and the County Forester and Fire Warden for review and approval. A bond shall be posted with the Department of Public Works, or other verification shall be submitted to the satisfaction of the Department of Regional Planning to ensure the planting of the required tree.
14. Within five days of the tentative map approval date, remit a \$25 processing fee payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the Public Resources Code. No land use project subject to this requirement is final, vested, or operative until the fee is paid.
15. A final tract map is required for this land division. A waiver is not allowed.
16. Pursuant to Chapter 22.72 of the Los Angeles County Code ("County Code"), the subdivider or his successor in interest shall pay a fee to the Los Angeles County Librarian, prior to issuance of any building permit, in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department of Regional Planning. The current fee amount is \$648 per dwelling unit (\$648 x 18 dwelling units = \$11,664). The subdivider may contact the County Librarian at (562) 940-8430 regarding payment of fees.
17. The subdivider shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this tract map approval or related discretionary project approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of Government Code section 66499.37 or any other applicable limitation period. The County shall promptly notify the subdivider of any claim, action, or proceeding, and the County shall cooperate fully in the defense. If the County fails to promptly notify the subdivider of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

18. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall, within ten days of the filing, pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including, but not limited to: depositions, testimony, and other assistance to the subdivider or the subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
- a. If during the litigation process actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional funds to bring the balance up to the amount of initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of litigation; and
  - b. At the sole discretion of the subdivider, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the subdivider in accordance with County Code Section 2.170.010.

19. Except as expressly modified hereinabove, this approval is subject to all those conditions set forth in the attached reports recommended by the Los Angeles County Subdivision Committee.



County of Los Angeles Department of Public Works  
 GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION  
 GEOLOGIC REVIEW SHEET  
 900 S. Fremont Ave., Alhambra, CA 91803  
 TEL. (626) 458-4925

REVIEWER CALLING HOURS  
 8-9 a.m. & 3-4 p.m. Mon.-Thurs.

DISTRIBUTION  
 \_\_\_ Geologist  
1 Soils Engineer  
1 LDMA/Proc. Center  
1 Section File  
1 Subdivision  
 Job Number LX00112

TENTATIVE TRACT 53942, 5235-5237 Rosemead Blvd  
 SUBDIVIDER Everest Investment Group  
 ENGINEER Engles Shen  
 GEOLOGIST \_\_\_\_\_  
 SOILS ENGINEER Quartech Consultant

TENTATIVE MAP DATED 01-15-03 3<sup>rd</sup> Revision  
 LOCATION San Gabriel

REPORT DATE \_\_\_\_\_  
 REPORT DATE 07-01-02

[X] TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:

- [X] The final map must be approved by the Geology and Soils Sections to assure that all geotechnical (geology and soils) factors have been properly evaluated.
- [X] A grading plan must be geotechnically approved by the Geology and Soils Sections. This grading plan must be based on a detailed soils engineering report and show all recommendations submitted by them. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading and completion of soils work, corrective grading bonds will be required.
- [X] All geotechnical hazards associated with this proposed development must be eliminated, or delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections, and dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas.
- [ ] A statement entitled: "Geotechnical Note(s), Potential Building Site: For grading and corrective work requirements for access and building areas for Lot(s) No(s). \_\_\_\_\_, refer to the Soils Report(s) by \_\_\_\_\_, dated \_\_\_\_\_".
- [X] The Soils Engineering review dated 2-5-03 is attached.

[X] TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THE DIVISION OF LAND:

- [ ] This project may not qualify for a waiver of final map under section 21.48.140 of the Los Angeles County Title 21 Subdivision Code.
- [X] The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.
- [X] A soils engineering report may be required prior to approval of building or grading plans.
- [X] Geotechnical Recordation Map verification deposit estimate 6 hours.
- [ ] Groundwater is less than 10 feet from the ground surface on lots \_\_\_\_\_

Prepared by Robert O. Thomas Reviewed by [Signature] Date 02-03-03

The "Manual for Preparation of Geotechnical Reports" prepared by County of Los Angeles, Department of Public Works is available on the Internet at the following address:  
<http://dpw.co.la.ca.us/med/manual.pdf>



COUNTY LOS ANGELES DEPARTMENT OF PUBLIC WORKS  
LAND DEVELOPMENT DIVISION  
SUBDIVISION PLAN CHECKING SECTION  
DRAINAGE AND GRADING UNIT

TRACT NO. 53942

REVISED TENTATIVE MAP DATED 9/17/2002  
REVISED EXHIBIT "A" DATED 1/15/2003


DRAINAGE CONDITIONS

- ☒ Comply with the following requirements to the satisfaction of Director of Public Works prior to the filing of the final map:
- ☒ A hydrology study for design of drainage facilities is required. Hydrology study shall be approved prior to submittal of improvement plans.
- ☒ A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010 of the Subdivision Ordinance.
- ☒ Comply with the requirements of the drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 03/24/03 to the satisfaction of Public Works.

=====

GRADING CONDITIONS

- ☒ A grading plan and soils report must be submitted and approved prior to approval of the final map.
- ☒ A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

WAC Name  Date 3/24/03 Phone (626) 458-4921  
TIMOTHY CHEN

The following reports consisting of 10 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.
2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.
3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.
4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.
5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.
6. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.

DEPARTMENT OF PUBLIC WORKS  
LAND DEVELOPMENT DIVISION - SUBDIVISION  
TRACT MAP NO. 53942 (Rev.)

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TENTATIVE MAP DATED 09-17-2002  
EXHIBIT "A" MAP DATED 01-15-2003

7. Prior to final approval of the tract map, submit a notarized affidavit to the Director of Public Works, signed by all owners of record at the time of filing of the map with the Registrar-Recorder/County Clerk's Office, stating that any proposed condominium building has not been constructed or that all buildings have not been occupied or rented and that said building will not be occupied or rented until after the filing of the map with the Registrar-Recorder/County Clerk's Office.
8. Place standard condominium notes on the final map to the satisfaction of Public Works.
9. Quitclaim or relocate easements running through proposed structures.
10. Remove existing structures prior to final map approval. Demolition permits are required from the Building and Safety office.
11. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.
12. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.
13. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

*HW/for*  
Name Barry S. Witter  
msw

Phone (626) 458-4915

Date 03-03-2003

COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave.  
Alhambra, CA 91803  
Telephone: (626) 458-4925  
Fax: (626) 458-4913

District Office 5  
Job No. LX001129  
Sheet 1 of 1

DISTRIBUTION:

Tentative Tract Map 53942  
Location 5234 - 5237 Rosemead Blvd., San Gabriel  
Developer/Owner Everest Investment Group  
Engineer/Architect Engles Shen  
Soils Engineer Quartech (02-032-033GE)  
Geologist -

☐ Drainage  
☐ Grading  
☐ Geo/Soils Central File  
☐ District Engineer  
☐ Geologist  
☐ Soils Engineer  
☐ Engineer/Architect

Review of:

Tentative Tract Map Dated By Regional Planning 1/15/03 (Rev.)  
Previous review sheet dated 12/12/02

ACTION:

Tentative Map feasibility is recommended for approval, subject to conditions below:

REMARKS:

1. Submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.
2. At the rough grading, provide chemical test results (sulfate, chloride, resistivity, etc.) for the on-site soils to address the presence of chemicals deleterious to concrete and ferrous materials. The tests must be in accordance with California Test Methods, Department of Transportation, or equivalent (aqueous solution tests, such as EPA Tests or similar methods are not acceptable for determination of resistivity).



Prepared by \_\_\_\_\_ Date 2/5/03

**NOTICE:** Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Dedicate 42 feet of additional right of way on Rosemead Boulevard (service road) to the satisfaction of Public Works.
2. Dedicate vehicular access rights on Rosemead Boulevard (main highway). Access shall be taken from the Rosemead Boulevard (service road).
3. Locate the entry gate a minimum of 20 feet beyond the right of way of Rosemead Boulevard (service road) to the satisfaction of Public Works.
4. Close all driveways on Rosemead Boulevard (main highway) with standard curb, gutter, and sidewalk.
5. Repair any broken or damaged improvements on Rosemead Boulevard (main highway) abutting this subdivision.
6. Construct the missing service road island on Rosemead Boulevard to the satisfaction of Public Works.
7. Construct curb, gutter, base, and pavement on Rosemead Boulevard (service road) to the satisfaction of Public Works. The curb to curb roadway width on the service road shall be 36 feet and shall line up with adjacent improvements to the satisfaction of Public Works.
8. Construct full width sidewalk on Rosemead Boulevard (service road) to the satisfaction of Public Works.
9. Plant street trees on Rosemead Boulevard (service road).
10. Underground all existing and new utility lines to the satisfaction of Public Works. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.
11. Prior to final map approval, the subdivider shall enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench.

12. Comply with the following street lighting requirements:

- a. Provide street lights on concrete poles with underground wiring on Rosemead Boulevard to the satisfaction of Public Works.
- b. Obtain Street Lighting Section's approval of the street light layout prior to project recordation.
- c. The proposed development, or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of street lights. The Board of Supervisors must approve the annexation and/or levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.
  - (1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.
  - (2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.
  - (3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300-4726.
- d. For acceptance of street light transfer billing, all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans and energized for at least one year as of July 1st of the current year.
- e. Note that the annexation and assessment balloting process takes approximately five to six months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation.

DEPARTMENT OF PUBLIC WORKS  
LAND DEVELOPMENT DIVISION - ROAD  
TRACT MAP NO. 53942 (Rev.)

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TENTATIVE MAP DATED 09-17-2002  
REVISED EXHIBIT "A" MAP DATED 01-15-2003

13. An encroachment permit is required from Caltrans for any work on Rosemead Boulevard.
14. A deposit is required to review documents and plans for final map clearance.

*HW/for*  
Name Barry S. Witley  
MSW

Phone (626) 458-4915

Date 03-03-2003



The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings in the land division, must be provided. The system shall include fire hydrants of the type and location as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
2. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor, and that under normal conditions, the system will meet the requirements for the land division and that water service will be provided to each building.
3. Off-site improvements are tentatively required.
4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction and maintenance of all infrastructure constructed for this land division to the satisfaction of Public Works.
5. Submit landscape and irrigation plans for each parcel in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.
6. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

*HW/for*  
Name Barry S. Wittler  
MSW

Phone (626) 458-4915

Date 03-03-2003

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. The subdivider shall install and dedicate main line sewers and serve each building with a separate house lateral or have approved and bonded sewer plans on file with Public Works.
2. The subdivider shall submit an area study to Public Works to determine if capacity is available in the sewerage system to be used as the outlet for the sewers in this land division. If the system is found to have insufficient capacity, upgrade of the existing system is required to the satisfaction of Public Works.
3. Off-site improvements are tentatively required.
4. Easements are required, subject to review by Public Works to determine the final locations and requirements.
5. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

*HW/for*  
Name Barry S. Witle  
MSW

Phone (626) 458-4915

Date 03-03-2003



COUNTY OF LOS ANGELES  
FIRE DEPARTMENT

5823 Rickenbacker Road  
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. 53942 Tentative Map Date January 15, 2003

Revised Report yes

- ☐ The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.
- ☒ The required fire flow for public fire hydrants at this location is 5000 gallons per minute at 20 psi for a duration of 5 hours, over and above maximum daily domestic demand. 3 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- ☐ The required fire flow for private on-site hydrants is \_\_\_\_\_ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing \_\_\_\_\_ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- ☒ Fire hydrant requirements are as follows:
- Install \_\_\_\_\_ public fire hydrant(s). Upgrade / Verify existing 1 public fire hydrant(s).
- Install \_\_\_\_\_ private on-site fire hydrant(s).
- ☒ All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
- ☐ Location: As per map on file with the office.
- ☒ Other location: Verify fire flow from the hydrant located on the West side of Rosemead, just North of said property.
- ☒ All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.
- ☐ The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.
- ☐ Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.
- ☐ Hydrants and fire flows are adequate to meet current Fire Department requirements.
- ☒ Upgrade not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: Additional hydrant requirements may be pending, based on submitted information.

All hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. This shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

By Inspector Jana Masi

Date February 27, 2003



COUNTY OF LOS ANGELES  
FIRE DEPARTMENT

5823 Rickenbacker Road  
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: 53942

Map Date January 15, 2003

C.U.P. 02-182

Vicinity Arcadia

- ☐ **FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
- ☒ Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.
- ☒ Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
- ☐ Where driveways extend further than 300 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
- ☒ The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
- ☒ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- ☐ This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
- ☒ Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
- ☐ Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
- ☐ The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
- ☐ These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
- ☐ The Fire Department has no additional requirements for this division of land.

Comments:

By Inspector: Janna Masi

Date February 27, 2003

Land Development Unit - Fire Prevention Division - (323) 890-4243, Fax (323) 890-9783



LOS ANGELES COUNTY  
DEPARTMENT OF PARKS AND RECREATION



PARK OBLIGATION REPORT

Tentative Map # 53942      DRP Map Date: 01/15/2003      SCM Date: 03/03/2003      Report Date: 02/27/2003  
Park Planning Area # 42      SAN GABRIEL VALLEY      Map Type: EXHIBIT "A"

Total Units **18** = Proposed Units **15** + Exempt Units **3**

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

- 1) the dedication of land for public or private park purpose or,
- 2) the payment of in-lieu fees or,
- 3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	0.10
IN-LIEU FEES:	\$27,700

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of \$27,700 in-lieu fees.

Trails:

No trails.

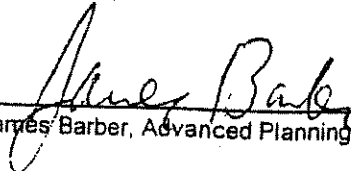
Comments:

Proposed to build eighteen (18) attached residential condominium units with three (3) existing houses to be removed, net of fifteen (15) units.

Contact Patrocenia T. Sobrepeña, Acting Park Planner, Department of Parks and Recreation, 433 South Vermont Avenue, Los Angeles, California, 90020 at (213) 738-2972 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Tonda Lay, Trail Coordinator at (213) 738-2118.

By:

  
James Barber, Advanced Planning Section Head

Supv D 5th  
February 26, 2003 08:43:09  
QMB02F.FRX



LOS ANGELES COUNTY  
DEPARTMENT OF PARKS AND RECREATION



PARK OBLIGATION WORKSHEET

Tentative Map # 53942      DRP Map Date: 01/15/2003      SMC Date: 03/03/2003      Report Date: 02/27/2003  
Park Planning Area # 42      SAN GABRIEL VALLEY      Map Type: EXHIBIT "A"

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

$$(P) \text{ people} \times (0.003) \text{ Goal} \times (U) \text{ nits} = (X) \text{ acres obligation}$$

$$(X) \text{ acres obligation} \times \text{AFMV/Acre} = \text{In-Lieu Base Fee}$$

Where: P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 1990 U.S. Census\*. Assume \* people for detached single-family residences; Assume \* people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume \* people for apartment houses containing five or more dwelling units; Assume \* people for mobile homes.

Goal = The subdivision ordinance allows for the goal of 3.0 acres of park land for each 1,000 people generated by the development. This goal is calculated as "0.0030" in the formula.

U = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

AFMV/Acre = Average Fair Market Value per Acre by Park Planning Area.

Total Units  = Proposed Units  + Exempt Units

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	3.02	0.0030	0	0.00
M.F. < 5 Units	2.88	0.0030	0	0.00
M.F. >= 5 Units	2.18	0.0030	15	0.10
Mobile Units	1.56	0.0030	0	0.00
Exempt Units			3	
Total Acre Obligation =				0.10

Park Planning Area = 42 SAN GABRIEL VALLEY

Goal	Acre Obligation	AFMV / Acre	In-Lieu Base Fee
@(0.0030)	0.10	\$277,000	\$27,700

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
Total Provided Acre Credit:				0.00	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	AFMV / Acre	In-Lieu Fee Due
0.10	0.00	0.00	0.10	\$277,000	\$27,700



COUNTY OF LOS ANGELES  
DEPARTMENT OF HEALTH SERVICES  
**Public Health**

THOMAS L. GARTHWAITE, M.D.  
DIRECTOR and CHIEF MEDICAL OFFICER

FRED LEAF  
CHIEF OPERATING OFFICER

JONATHAN E. FIELDING, M.D., M.P.H.  
Director of Public Health and Health Officer

**Environmental Health**  
ARTURO AGUIRRE, Director

**Bureau of Environmental Protection**  
Mountain & Rural/Water, Sewage & Subdivision Program  
5050 Commerce Drive, Baldwin Park, CA 91706-1423  
TEL (626)430-5380 • FAX (626)813-3016  
[www.lapublichealth.org/eh/progs/envirp.htm](http://www.lapublichealth.org/eh/progs/envirp.htm)



BOARD OF SUPERVISORS  
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Fifth District

February 24, 2003

Tract No. 53942

Vicinity: San Gabriel

Vesting Tentative Map (3<sup>rd</sup> Revision) Date: January 15, 2003

The Los Angeles County Department of Health Services has no objection to the approval of Vesting Tentative Tract Map 53942, provided that the expected potable water needs will be supplied through a public water system which guarantees water connection and service to all units and wastewater treatment demands for all units will be accommodated by public sewer and public wastewater treatment facilities as proposed.

If you have any questions or need additional information, please contact Patrick Nejadian at 626-430-5380.

Respectfully,

Russell A. Johnson, R.E.H.S., Chief,  
Mountain & Rural/Water, Sewage & Subdivision Program





**ZONING CASE NO. 02-182-(5)**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Section 22.16.230 of Title 22 - Planning and Zoning of the Los Angeles County Code, changing regulations for the execution of the General Plan, relating to East San Gabriel Zoned District No. 9.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 22.16.230 of the County Code is amended by amending the map of the East San Gabriel Zoned District No. 9, as shown on the map attached hereto.

**SECTION 2.** The Board of Supervisors finds that this ordinance is consistent with the General Plan of the County of Los Angeles.

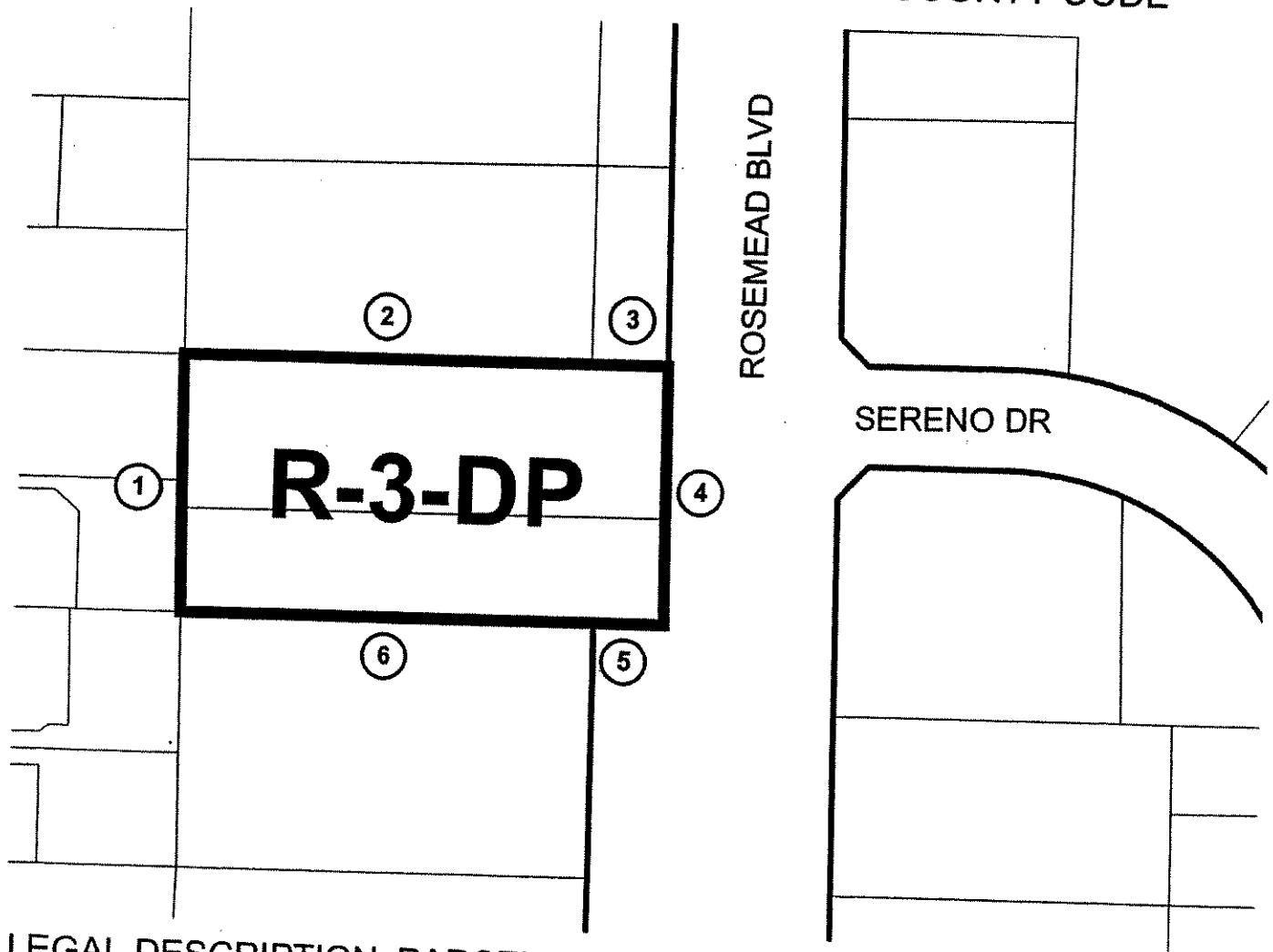
CHANGE OF PRECISE PLAN  
EAST SAN GABRIEL ZONED DISTRICT

ADOPTED BY ORDINANCE: \_\_\_\_\_

ON: \_\_\_\_\_

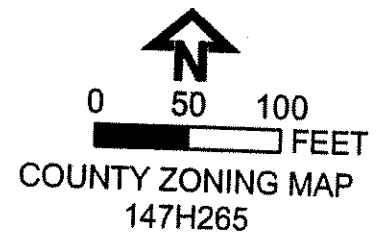
ZONING CASE: **ZC 02182**

AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



LEGAL DESCRIPTION: PARCEL 53, LS 12-21

- ①—N 00 47' 45" W 150.00'
- ②—S 89 44' 26" E 245.65'
- ③—S 89 44' 26" E 42.00'
- ④—S 00 47' 45" E 150.00'
- ⑤—N 89 44' 26" W 42.00'
- ⑥—N 89 44' 26" W 245.65'



DIGITAL DESCRIPTION: \ZCO\ZD\_EAST\_SAN\_GABRIEL\ \_\_\_\_\_

THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES  
LESLIE G. BELLAMY CHAIR  
JAMES E. HARTL PLANNING DIRECTOR